THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.11659 OF 2007

ORAL ORDER:

The petitioner is the authorized fair price dealer of Gumdal village, Doma Mandal, Ranga Reddy District. She was served with a show cause notice dated 23.3.2007 issued by the 1st respondent calling upon to show cause as to why disciplinary action should not be initiated against her on the ground of two allegations specified therein.

A perusal of the show cause notice shows that the first charge relates to the alleged diversion of 0-92 quintals of PDS rice and PDS kerosene to black market and that the second charge relates to the alleged non-maintenance of stock register and distribution register properly. The petitioner submitted a detailed explanation dated 8.5.2007 denying both the charges. Thereafter, the impugned order dated 10.5.2007 came to be passed whereunder the authorization of the petitioner was cancelled. The said order is under challenge in this writ petition primarily on the ground that the impugned order passed by the 1st respondent is without application of mind to the explanation offered by the petitioner.

I have heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents.

A perusal of the impugned order dated 10.5.2007 itself shows that the order of cancellation is not supported by any reasons, and except stating that the explanation offered by the petitioner is not satisfactory, no other reasons are assigned by the 1st respondent in support of his conclusion that the authorization is liable to be cancelled. Such an order which is devoid of any reasons is not in accordance with the fundamental principles of natural justice. The law is well-settled that absence of reasons is one of the grounds for Judicial Review and, therefore, on that ground alone the impugned order is liable to be set aside.

Accordingly, the impugned order dated 10.5.2007 is hereby set aside and the writ petition is disposed of with a direction to the 1st respondent to consider the explanation offered by the petitioner and pass appropriate orders afresh in accordance with law. No costs.

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(G. ROHINI, J).

7th June, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.11659 OF 2007

7th June, 2007.

Between:

D. Sujatha. .. Petitioner.

And

The Special Grade Deputy Collector and
Revenue Divisional Officer,
Chevella Division, R.R. District and others.
..Respondents.